

Message Text

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64

ACTION EUR-25

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FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 1322

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E.O. 11652: N/A

TAGS: CPRS, BGEN, BE

SUBJECT: AMERICAN LAWYERS IN BRUSSELS

REF: BRUSSELS 2054

1. PETER STURTEVANT, THE ONLY AMERICAN LAWYER REMAINING IN BRUSSELS OFFICE OF THE FIRM OF BAKER AND MCKENZIE, APPLIED FOR A PROFESSIONAL CARD EARLY THIS YEAR. HIS FIRM FORMERLY HAD TWO AMERICANS WITH CARDS BUT BOTH DIED DURING THE PAST NINE MONTHS AND HIS APPLICATION WAS PRESENTED AS A REQUEST FOR A CARD TO REPLACE THOSE HELD BY HIS DEAD PARTNERS. IN HIS APPLICATION, HE NOTED THAT THE FIRM HAS BEEN IN BRUSSELS SINCE 1957 AND THAT NO INCREASE IN THE NUMBER OF AMERICAN LAWYERS IN BRUSSELS IS INVOLVED.

2. ON JUNE 12 STURTEVANT RECEIVED A LETTER FROM THE MINISTRY OF THE MIDDLE CLASSES REQUESTING HIM TO APPEAR AT A HEARING ON JULY 12 BEFORE THE ECONOMIC INVESTIGATIONS COUNCIL FOR FOREIGNERS OF THE MINISTRY. STURTEVANT CHECKED INTO THE MATTER AND HAS LEARNED THAT THE BRUSSELS BAR HAS ENTERED A FORMAL OBJECTION TO THE ISSUANCE OF A CARD TO HIM. AFTER LEARNING THIS, HE CAME TO EMBASSY FOR ASSISTANCE (JUNE 24).

3. EMBOFF IMMEDIATELY CONTACTED FOREIGN MINISTRY (DE CAT) WHICH AGREED THAT MINISTRY OF MIDDLE CLASSES SHOULD

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NOT CHANGE STATUS OF ANY ESTABLISHED AMERICAN LAW FIRM

IN BRUSSELS UNTIL OVERALL AGREEMENT REACHED WITHIN GOB
ON THE ISSUE (REFTEL). DECAT AGREED TO DISCUSS MATTER
WITH MINISTRY OF MIDDLE CLASSES SOONEST.

4. FOLLOWING DAY DECAT CALLED BACK TO REPORT THAT
COUNCIL WAS REQUIRED BY BELGIAN LAW TO HOLD A HEARING
SINCE AN OBJECTION HAD BEEN RAISED TO ISSUING A CARD TO
STURTEVANT. COUNCIL RULING, HOWEVER, IS
ONLY ADVISORY AND MINISTRY CAN (AND OFTEN DOES) DECIDE
COUNTER TO COUNCIL ADVICE. THEREFORE, FONMIN BELIEVES
STURTEVANT SHOULD PROCEED INTO THE HEARING WITH AN
UNDERSTANDING THAT FONMIN REMAINS READY TO INTERVENE
WITH MINISTRY OF MIDDLE CLASSES SHOULD A NEGATIVE DECISION
OF THE MINISTRY SEEM LIKELY.

5. WHEN STURTEVANT INFORMED OF THIS SUGGESTION, HE
AGREED TO PROCEED. EMBOFF REPEATED OUR READINESS
TO INTERCEDE AT ANY TIME ON HIS BEHALF.

6. COMMENT: EMBASSY SOURCES IN FONMIN REPORT SECOND GOB
INTERAGENCY MEETING TO SEEK AGREEMENT
WITH GOB HAS YET TO BE HELD. EMBASSY NOT PRESSING
FOR SUCH MEETINGS SINCE WE (AND AMERICAN LAWYERS
IN BRUSSELS) BELIEVE PRESENT UNCLEAR SITUATION MORE
FAVORABLE TO INTERESTS OF AMERICAN LAWYERS THAN
ANY BELGIAN INTERAGENCY DECISION LIKELY TO BE.
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